IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5454 of 1983
with
SPECIAL CIVIL APPLICATION No 5455 of 1983

For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI
and
Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KHEDUT SAHAKARI KHAND UDYOG MANDALI LTD
Versus
STATE OF GUJARAT

Appearance:
1. Special Civil Application No. 5454 of 1983
MR KS NANAVATI for Petitioner No. 1
..... for Petitioner No. 2
Mr.N.D. Gohil, ASSTT GOVERNMENT PLEADER for Respondent No. 1
..... for Respondent No. 2
2. Special Civil Application No. 5455 of 1983
MR KS NANAVATI for Petitioner No. 1
Mr.N.D. Gohil, ASSTT GOVERNMENT PLEADER for Respondent No. 1

CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI
and
MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 11/09/2001

ORAL JUDGEMENT (Per : MR.JUSTICE RAVI R.TRIPATHI)

These petitions challenge vires of sections 74C and 80 of the Gujarat Cooperative Societies Act as amended by the impugned Amending Act of 1983 on the ground that the provisions are ultra vires to Articles 14, 19(1)(C), 300A and 301 of the Constitution of India.

2. Learned advocate appearing for the petitioners fairly pointed out that subsequent to filing of these Special Civil Applications this Court in the matter of Amreli District Cooperative Sale & Purchase Union & others v. State of Gujarat, reported in 1984 (2) GLR 1244, has upheld the vires of sec.74C and also sec.80(2) of Gujarat Cooperative Societies Act, 1961, which covers the challenge of the petitioners in the present petitions.

3. In view of that the present petitions do not survive. These petitions are accordingly dismissed. Rule is discharged with no order as to costs.

(D.M. Dharmadhikari, C.J.)

(Ravi R. Tripathi, J.)

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